upa

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1312 OF 1999
IN
SUIT NO.2496 OF 1998

Indian Overseas Bank).. Plaintiffs

Versus

Ramesh Kumar Shah and others).. Defendants

Mrs.Mohana Nair i/b.Mohana Nair Associates for the Plaintiffs.

None present for the Defendants.

CORAM : SMT. NISHITA MHATRE, J.

DATED : 9TH MARCH 2006

P.C.:

. By an order of 27th April 1999, ad-interim relief in terms of prayers (b) and (c) was granted.

2. The Notice of Motion has reached final hearing. Affidavits of service on the Defendants are tendered. None of the Defendants are represented.

3. Perused papers. It appears that Defendant No.2 had encashed the amount and deposited in Defendant Nos.6 and 7. This was done fraudulently, according to the Plaintiffs. The affidavit in support of the Motion has detailed the manner in which this fraudulent transaction

has take place. Prima facie, a good case has been made out by the Plaintiffs to grant interim relief in terms of prayer (a) as well.

4. Notice of Motion made absolute in terms of prayers (a), (b) and (c).

5. Notice of Motion disposed of accordingly.